

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CLAUDIO ORELLANA,

Plaintiff,

**ORDER**

-against-

23 Civ. 5315 (NSR) (AEK)

JOSE A. LOPEZ, JR., *et al.*,

Defendants.

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**THE HONORABLE ANDREW E. KRAUSE, U.S.M.J.**

Plaintiff has filed a motion for spoliation sanctions, ECF Nos. 86-88, and Defendants have filed a letter motion requesting a conference to address their intent to file a motion to strike the report of Plaintiff's rebuttal expert Dr. Robert Knudsen, ECF No. 90. Plaintiff filed a responsive letter in which he opposed the requests in Defendants' letter motion. ECF No. 92. The parties are hereby directed not to submit any further letters on these issues.

Having considered the parties' submissions to date, the Court finds that the most efficient and practical way to address the parties' applications is through consolidated briefing of the matters in dispute. Accordingly, the Court sets the following schedule:

- (1) Defendants must file a single brief that contains their opposition to Plaintiff's motion for spoliation sanctions as well as their arguments in support of their cross-motion to strike Dr. Knudsen's report. Because Plaintiff's opening memorandum of law in support of his motion for spoliation sanctions was 25 pages long, Defendants may submit a memorandum of law of up to 40 pages, though counsel is encouraged to be far more concise than that. The deadline for this consolidated submission to be served and filed is **January 3, 2025**. Defendants' prior deadline (December 19, 2024) to oppose the motion for spoliation sanctions is adjourned.

(2) Plaintiff's memorandum of law in opposition to the cross-motion to strike and in further support of his motion for spoliation sanctions must be served and filed by **January 17, 2025**. This submission must be limited to 25 pages, and again, counsel is encouraged to be far more concise than that.

(3) Defendants' reply in further support of their motion to strike is to be served and filed by **January 31, 2025**. This submission must be limited to 10 pages.

(4) Defendants' deadline to depose Plaintiff's rebuttal experts is **ADJOURNED** pending the resolution of the motions.

The parties are directed to send hard copy courtesy copies of all papers to the chambers of the undersigned.

Dated: December 12, 2024  
White Plains, New York

**SO ORDERED.**



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ANDREW E. KRAUSE  
United States Magistrate Judge